

November 28, 2006

Federal Communication Commission (FCC)  
Electronic Comment Filing System (ECFS)  
Reference: CC Docket No. 02-6, CC Docket No. 96-45

To Whom It May Concern:

This is a letter of appeal requesting the review of a decision made by USAC. On November 3, 2006 we received a Commitment Adjustment Decision letter regarding the Form 470 application # 172190000324001 for funding year 2001. After USAC reviewed the cited Form 470 they have stated that the service provider contact information appeared on the Form 470 therefore the Form 470 was tainted. USAC has determined that both the applicant and service provider are responsible and will be seeking a full refund from both parties. We have carefully reviewed Form 470 #172190000324001 and have found no reference or contact information for the service provider in question therefore we believe the 470 was not tainted and the competitive bidding process was a fair and open process. Attached to this document is the Form 470 in question.

Form 470 # 172190000324001  
FRN # 6177980  
Billed Entity Name: Leap Academy Charter School, Inc.  
Form 471 Application # 251684  
Billed Entity # 155394  
FCC Registration Number: 0012041356

Contact information:

Colleen Cary  
Director of Technology  
LEAP Academy Charter Schools, Inc,  
639 Cooper Street  
Camden, N.J. 08102  
856-614-5605  
[ccary@camden.rutgers.edu](mailto:ccary@camden.rutgers.edu)

**470****Schools and Libraries Universal Service  
Description of Services Requested  
and Certification Form**

Estimated Average Burden Hours Per Response: 4.0 hours

This form is designed to help you describe the eligible telecommunications-related services you seek so that this data can be posted on the Fund Administrator website and interested service providers can identify you as a potential customer and compete to serve you.

Please read instructions before beginning this application. (To be completed by entity that will negotiate with providers.)

**Block 1: Applicant Address and Identifications**Form 470 Application Number: **172190000324001**

Applicant's Form Identifier:

Application Status: **CERTIFIED**Posting Date: **12/11/2000**Allowable Contract Date: **01/08/2001**Certification Received Date: **12/27/2000****1. Name of Applicant:****LEAP Academy Charter School, Inc.****2. Funding Year:****07/01/2001 - 06/30/2002****3. Your Entity Number****155394****4a. Applicant's Street Address, P.O.Box, or Route Number****639 COOPERS STREET****City****CAMDEN****State****NJ****Zip Code****08102****b. Telephone number****(856) 614- 5600****c. Fax number****(856) 614- 5601****d. E-mail Address****5. Type Of Applicant**

- ☒ Individual School (individual public or non-public school)
- ☐ School District (LEA; public or non-public [e.g., diocesan] local district representing multiple schools)

- ☐ Library (including library system, library branch, or library consortium applying as a library)
- ☐ Consortium (intermediate service agencies, states, state networks, special consortia)

**6a. Contact Person's Name:** CLINTON BOYD

*First, fill in **every** item of the Contact Person's information below **that is different from Item 4, above**.*

*Then check the box next to the preferred mode of contact. (At least one box **MUST** be checked.)*

**6b. Street Address, P.O.Box, or Route Number**

☐ 639 COOPERS STREET

City

CAMDEN

State

NJ

Zip Code

08102

☐ **6c. Telephone Number** (856) 614- 5600

☒ **6d. Fax Number** (856) 614- 5601

☐ **6e. E-mail Address**

## Block 2: Summary Description of Needs or Services Requested

**7 This Form 470 describes (check all that apply):**

- a. ☒ Tariffed services - telecommunications services, purchased at regulated prices, for which the applicant has no signed, written contract. A new Form 470 must be filed for tariffed services for each funding year.
- b. ☒ Month-to-month services for which the applicant has no signed, written contract. A new Form 470 must be filed for these services for each funding year.
- c. ☒ Services for which a new written contract is sought for the funding year in Item 2.
- d. ☐ A multi-year contract signed on or before 7/10/97 but for which no Form 470 has been filed in a previous program year.

**NOTE:** Services that are covered by a signed, written contract executed pursuant to posting of a Form 470 in a previous program year OR a contract signed on/before 7/10/97 and reported on a Form 470 in a previous year as an existing contract do NOT require filing of a Form 470.

What kinds of service are you seeking: Telecommunications Services, Internet Access, or Internal Connections? Refer to the Eligible Services List at [www.sl.universalservice.org](http://www.sl.universalservice.org) for examples. Check the relevant category or categories (8, 9, and/or 10 below), and answer the questions in each category you select.

**8 ☒ Telecommunications Services**

*Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?*

a. ☐ YES, I have an RFP. It is available on the Web at or via (check one):  
☐ the Contact Person in Item 6 or ☐ the contact listed in Item 11.

b. ☒ NO , I do not have an RFP for these services.

If you answered NO, you must list below the Telecommunications Services you seek. Specify each service or function (e.g., local voice service) and quantity and/or capacity(e.g., 20 existing lines plus 10 new ones). See the Eligible Services List at [www.sl.universalservice.org](http://www.sl.universalservice.org) for examples of eligible

Telecommunications Services. Remember that only eligible telecommunications providers can provide these services under the universal service support mechanism. Add additional lines if needed.

Service or Function:	Quantity and/or Capacity:
Local phone service POTS, Centrex	Existing: 40
Inter and intra LATA long distance service	Existing: 40
Distance Learning Services using ATM, T-1, ISDN, and/or IDLS	Additional: 1
Paging Services	Additional: 3+

9 ☐ Internet Access

*Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?*

a ☐ YES, I have an RFP. It is available on the Web at or via (check one):  
☐ the Contact Person in Item 6 or ☐ the contact listed in Item 11.

b ☐ NO , I do not have an RFP for these services.

If you answered NO, you must list below the Internet Access Services you seek. Specify each **service or function** (e.g., monthly Internet service) and quantity and/or capacity(e.g., for 500 users). See the Eligible Services List at [www.sl.universalservice.org](http://www.sl.universalservice.org) for examples of eligible Internet Access services. Add additional lines if needed.

10 ☒ Internal Connections

*Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?*

a ☐ YES, I have an RFP. It is available on the Web at or via (check one):  
☐ the Contact Person in Item 6 or ☐ the contact listed in Item 11.

b ☒ NO , I do not have an RFP for these services.

If you answered NO, you must list below the Internal Connections Services you seek. Specify each **service or function** (e.g., local area network) and quantity and/or capacity(e.g., connecting 10 rooms and 300 computers at 56kbps or better). See the Eligible Services List at [www.sl.universalservice.org](http://www.sl.universalservice.org) for examples of eligible Internal Connections services. Add additional lines if needed.

Service or Function:	Quantity and/or Capacity:
Additional CAT5/6 and/or fiber optic cabling desired along with network infrastructure electronics.	1 Bldg, 40 Rooms
Network infrastructure improvements including hubs, switches, routers, servers, network software,network installation and maintenance services .	1 Bldg, 40 Rooms
Improvements to phone system, phone cabling and phone installation and maintenance services.	1 Bldg, 40 Rooms
Communication equipment associated with	1 Bldg

## Distance Learning

**11** (Optional) Please name the person on your staff or project who can provide additional technical details or answer specific questions from service providers about the services you are seeking. This need not be the contact person listed in Item 6 nor the signer of this form.

Name:

Title:

Telephone  
number

0 -

Fax  
number

0 -

E-mail Address

**12.** ☒ Check here if there are any restrictions imposed by state or local laws or regulations on how or when providers may contact you or on other bidding procedures. Please describe below any such restrictions or procedures, and/or provide Web address where they are posted and a contact name and telephone number for service providers without Internet access.

**We are subject to NJ State purchasing laws N.J.S.A. 18A:18A-3 etc. We will/can only purchase goods and services through open public bids, from vendors having approved, existing NJ state contracts or via purchases that qualify.**

**13.** If you intend to enter into a multi-year contract based on this posting or a contract featuring an option for voluntary extensions you may provide that information below. If you have plans to purchase additional services in future years, or expect to seek new contracts for existing services, summarize below (including the likely timeframes).

**We plan to purchase more of our current as well as additional types of telecom services, increased amounts of internet access as well as continue to make necessary upgrades to our voice and data network infrastructure together with purchasing the necessary installation and maintenance services required for the operation of the networks**

### Block 3: Technology Assessment

**14.** ☐ **Basic telephone service only:** If your application is for basic local and long distance telephone service (wireline or wireless) only, check this box and skip to Item 16.

**15.** Although the following services and facilities are ineligible for support, they are usually necessary to make effective use of the eligible services requested in this application. Unless you indicated in Item 14 that your application is ONLY for basic telephone service, you must check at least one box in (a) through (e). You may provide details for purchases being sought.

**a.** Desktop software: Software required ☒ has been purchased; and/or ☐ is being sought.

**b.** Electrical systems: ☒ adequate electrical capacity is in place or has already been arranged; and/or ☐ upgrading for additional electrical capacity is being sought.

c. Computers: a sufficient quantity of computers ☒ has been purchased; and/or ☐ is being sought.

d. Computer hardware maintenance: adequate arrangements ☒ have been made; and/or ☐ are being sought.

e. Staff development: ☒ all staff have had an appropriate level of training /additional training has already been scheduled; and/or ☐ training is being sought.

f. Additional details: Use this space to provide additional details to help providers to identify the services you desire.

#### Block 4: Recipients of Service

##### 16. Eligible Entities That Will Receive Services:

Check the ONE choice (a,b or c) that best describes this application and the eligible entities that will receive the services described in this application. You will then list in Item 17 the entity/entities that will pay the bills for these services.

a. ☒ Individual school or single-site library.

.

b. ☐ Statewide application for (enter 2-letter state code) representing (check all that apply):

.

☐ All public schools/districts in the state:

☐ All non-public schools in the state:

☐ All libraries in the state:

If your statewide application includes INELIGIBLE entities, check here. ☐ If checked, complete Item 18.

c. ☐ School district, library system, or consortium application to serve multiple eligible entities:

Number of eligible sites	
<i>For these eligible sites, please provide the following</i>	
Area Codes (list each unique area code)	Prefixes associated with each area code (first 3 digits of phone number) separate with commas, leave no spaces
If your application includes INELIGIBLE entities, check here. <input type="checkbox"/> If checked, complete Item 18.	

**17. Billed Entities**

List the entity/entities that will be paying the bills directly to the provider for the services requested in this application. These are known as Billed Entities. At least one line of this item must be completed. Attach additional sheets if necessary.

Entity	Entity Number
LEAP Academy Charter School, Inc.	155394

**18. Ineligible Participating Entities**

Does your application also seek bids on services to entities that are not eligible for the Universal Service Program? If so, list those entities here (attach pages if needed):

Ineligible Participating Entity	Area Code	Prefix

**Block 5: Certification and Signature****19. The applicant includes:(Check one or both)**

- a. ☒ schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. Secs. 7801(18) and (38), that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million; and/or
- b. ☐ libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any school (including, but not limited to elementary and secondary schools, colleges and universities).

**20. All of the individual schools, libraries, and library consortia receiving services under this application are covered by:**

- a. ☒ individual technology plans for using the services requested in the application, and/or
- b. ☐ higher-level technology plans for using the services requested in the application, or
- c. ☐ no technology plan needed; application requests basic local and/or long distance telephone service only.

**21. Status of technology plans (if representing multiple entities with mixed technology plan status, check both a and b):**

- a. ☒ technology plan(s) has/have been approved by a state or other authorized body.
- b. ☐ technology plan(s) will be approved by a state or other authorized body.
- c. ☐ no technology plan needed; application requests basic local and long distance telephone service only. .

22. ☒ I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec. 254

will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value.

**23.** ☒ I recognize that support under this support mechanism is conditional upon the school(s) or library(ies) I represent securing access to all of the resources, including computers, training, software, maintenance, and electrical connections necessary to use the services purchased effectively.

**24.** ☒ I certify that I am authorized to submit this request on behalf of the above-named entities, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

**25.** Signature of authorized person: ☒

**26.** Date (mm/dd/yyyy): **12/27/2000**

**27.** Printed name of authorized person: **Clinton Boyd**

**28.** Title or position of authorized person: **Business Administrator**

**29a.** Address of authorized person:

City: State: Zip:

**29b.** Telephone number of authorized person: **(856) 614 - 5600**

**29c.** Fax number of authorized person: **0**

**29d.** E-mail address number of authorized person:

**Persons willfully making false statements on this form can be punished by fine or forfeiture, under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.**

**Service provider involvement with preparation or certification of a Form 470 can taint the competitive bidding process and result in the denial of funding requests. For more information, refer to the "Service Provider Role in Assisting Customers" at [www.sl.universalservice.org/vendor/manual/chapter5.doc](http://www.sl.universalservice.org/vendor/manual/chapter5.doc) or call the Client Service Bureau at 1-888-203-8100.**

**NOTICE:** Section 54.504 of the Federal Communications Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to file this Description of Services Requested and Certification Form (FCC Form 470) with the Universal Service Administrator. 47 C.F.R. § 54.504. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended. 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.504. All schools and libraries planning to order services eligible for universal service discounts must file this form themselves or as part of a consortium.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently



valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or a potential violation of a FCC statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government is a party of a proceeding before the body or has an interest in the proceeding. In addition, information provided in or submitted with this form or in response to subsequent inquiries may also be subject to disclosure consistent with the Communications Act of 1934, FCC regulations, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law.

If you owe a past due debt to the federal government, the information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide the information to these agencies through the matching of computer records when authorized.

If you do not provide the information we request on the form, the FCC may delay processing of your application or may return your application without action.

The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq.

Public reporting burden for this collection of information is estimated to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, DC 20554.

Please submit this form to:

**SLD-Form 470  
P.O. Box 7026  
Lawrence, Kansas 66044-7026  
1-888-203-8100**

For express delivery services or U.S. Postal Service, Return Receipt Requested, mail this form to:

**SLD-Form 470  
c/o Ms. Smith  
3833 Greenway Drive  
Lawrence, Kansas 66046  
1-888-203-8100**